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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/425,027	10/25/1999	TAKASHI SHIMIZU	104610	8990

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EXAMINER	
GOFF II, JOHN L	
ART UNIT	**PAPER NUMBER**
1733	17

DATE MAILED: 02/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/425,027	SHIMIZU ET AL.	
	Examiner	Art Unit	
	John L. Goff	1733	

-- The MAILING DATE of this communication appears on the cov r sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 January 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☒ The proposed drawing correction filed on *25 September 2002* is: a)☒ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This action is in response to Amendment E filed on 1/24/03. All previous rejections under 35 U.S.C. 112 have been overcome.

2. Upon reconsideration the indication of allowable subject matter for claims 18-21 in the last office action is withdrawn in view of the new rejection applied below, and the finality of that action is withdrawn. It is noted claims 18-21 do not exclude trapped air formed during bonding from escaping in the transverse direction. Further, as set for the below it is known when bonding a permeable substrate to another substrate to use a patterned adhesive to ensure the bonded laminate remains permeable.

Claim Rejections - 35 USC § 103

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (Specification pages 1 and 2 and Paper #8) in view of Colasanto (U.S. Patent

6,190,482), Jarrell et al. (U.S. Patent 5,750,444), O'Neill (U.S. Patent 4,940,112), Spielau et al. (U.S. Patent 3,850,725), and Wu (U.S. Patent 5,539,072).

The admitted prior art teaches a known method for manufacturing a formed headliner for a vehicle (Figures 4A and 4B and Specification page 1 and 2 and Paper #8 page 6, lines 1-5). The admitted prior art teaches a top cover member comprising a top cover and a polyurethane foam wherein a film of hot melt adhesive is laminated on the backside of the top cover member. The admitted prior art teaches a base member comprising a polyamide film, a polypropylene film, a base material, and a non-woven fabric wherein a film of hot melt adhesive is laminated on the frontside of the base member. The admitted prior art teaches heating the base member to soften the base and melt the adhesive applied thereon. The admitted prior art teaches bonding the top cover member to the heated base member (the heated base member melts the adhesive of the top member) to form a headliner. The hot melt adhesive of the base member has a thickness of 15 to 75 μm for normal strength and 75 to 100 μm for high strength. The admitted prior art is silent as to laminating the adhesive layer to the top cover member in a pattern. One of ordinary skill in the art at the time the invention was made would have readily appreciated the hot melt adhesive taught by the admitted prior art laminated to the top cover member in a pattern as it was well known in the art to laminate an adhesive to a permeable member in a pattern as shown for example by Colasanto, Jarrell et al., O'Neill, Spielau et al., and Wu so that when the permeable member is bonded to a substrate the laminate remains permeable, i.e. during and/or after bonding air and/or vapor would still be able to pass through the top cover member.

It is noted the admitted prior art is silent as to the top cover comprising tricot and the base material comprising fiber and polypropylene. Absent any unexpected results, one of ordinary

skill in the art at the time the invention was made would have readily appreciated the top cover and base material comprising these materials as these were well known and conventional headliner materials used in the art.

Colasanto is directed to laminating a permeable fabric to a substrate using a patterned (discontinuous) adhesive so that the fabric remains breathable (Column 1, lines 13-20 and Column 2, lines 12-15 and Column 3, lines 35-45). Jarrell et al. are directed to laminating two materials such as fabric and foam using a patterned adhesive to ensure the bonded laminate is breathable (Column 5, lines 23-28, 46-49, and 54-57). Jarrell et al. teach the breathable laminates are useful in automobiles (Column 4, lines 4-6). O'Neill is directed to acoustical composites comprising a polymer bonded to a polymer foam using a patterned adhesive so that the bonded laminate has acoustical noise absorption (Column 4, lines 54-58). Spielau et al. are directed to bonding various materials using a patterned adhesive. Spielau et al. teach using the patterned adhesive to ensure the adhesive does not interfere with the breathing qualities of the material (Column 1, lines 3-8 and Column 3, lines 16-22). Wu is directed to bonding a fabric to a substrate using an adhesive in a discontinuous pattern so the laminated material retains its water-vapor permeable properties.

Response to Arguments

5. Applicant's arguments with respect to claims 18-21 have been considered but are moot in view of the new ground(s) of rejection. It is noted in paper no. 13, amendment D, applicant argues the references cited in paper no. 13 only allow trapped air to escape in the transverse direction. Applicant notes his invention allows air to escape through the top cover member and

not in the transverse direction as in the cited references. It is noted applicant's claims do not exclude the trapped air escaping in the transverse direction. Furthermore, Colasanto, Jarrell et al., O'Neill, Spielau et al., and Wu are cited as examples in the art of the well known technique of bonding two substrates, wherein at least one is permeable, using a patterned adhesive so that the resulting bonded laminate retains its permeable properties, i.e. during and after bonding air including trapped air would still be able to pass through the top cover member.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is **703-305-7481**. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Ball can be reached on 703-308-2058. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

John L. Goff
February 10, 2003

Michael W. Ball
Supervisory Patent Examiner
Technology Center 1700